

[FE-32-98](#) (document link)

SUMMARY FOR FE-32-98:
SELECTED AND POSSIBLE CONTRIBUTING FACTORS

SELECTED FACTORS

Railroad: CSX Transportation, Inc.

Location: Perrysburg, Ohio

Region: Region 2

Month: November

Date: 11/23/98

Time: 11:30 a.m., EST

Data for Fatally Injured Employee(s)

Track Inspector

43 years old

24 years of service

Last rules training: August 1998

Data for All Employees (Craft, Positions, Activity)

Craft: MOW

Positions:

Track Inspector

Track Foreman

Private Highway Vehicle

Four male passengers and one male driver returning home
from a funeral where they had served as pallbearers.

Activity: **The Trackmen had completed their track inspection using a hi-rail vehicle from Deshler to Perrysburg, Ohio. They were making their return trip on an adjacent highway in the same hi-rail vehicle.**

SUMMARY FOR FE-32-98 CONTINUED

POSSIBLE CONTRIBUTING FACTORS

EVENT

Traveling in a hi-rail vehicle, a Trackman was fatally injured and a Track Foreman was seriously injured during a highway collision with a van whose five occupants were seriously injured; one of the passengers died the next day.

PCF No. 1

Two Trackmen were making their return trip from Perrysburg to Deshler, Ohio, when the driver of a sport van with four passengers traveled left of center and struck the CSX hi-rail vehicle head-on, resulting in a fatal collision.

REPORT: FE 32-98

RAILROAD: CSX Transportation, Inc. (CSX)

LOCATION: Perrysburg, Ohio

DATE & TIME: Nov. 23, 1998, 11:30 a.m., EST

PROBABLE CAUSE: The driver of a sports van traveled left of center, striking a CSX hi-rail vehicle head-on, fatally injuring the Track Inspector and one of the van's five occupants, and seriously injuring the Track Foreman and the rest of the van's occupants.

EMPLOYEE: Occupation: Track Inspector

Age: 43 Years

Length of Service: 24 Years

Last Rules Training: Aug. 4, 1998

CIRCUMSTANCES PRIOR TO THE ACCIDENT

A CSX Track Inspector reported for duty at 7:30 a.m. on Nov. 23, 1998 at CSX Transportation's Ottawa Depot, in Ottawa, Ohio. His assignment for the day was to inspect the CSX Detroit Division's main track from Deshler northward to Perrysburg, Ohio using a CSX hi-rail vehicle, and return to Deshler by public highway. The hi-rail vehicle was a 1993 Chevrolet Model 2500 Cheyenne pickup truck.

On this assignment, the Track Inspector was being assisted by a CSX Track Foreman. The two employees completed their inspection of the main track and upon arrival at Perrysburg, removed their hi-rail vehicle from the track. They entered the public highway and began their return trip to Deshler, Ohio.

The employees were proceeding southward toward Deshler on Ohio State Route 65 in compliance with all applicable railroad rules and state and local highway laws. They were both using the lap/shoulder belts provided in the CSX hi-rail vehicle. The Track Inspector was driving the hi-rail vehicle, and the Track Foreman was riding in the front passenger seat. After departing Perrysburg, they passed Roachton Road in Middleton Township, Wood County, and were traveling within the posted speed limit of 55 mph.

Also at this time, a privately-owned 1988 Chevrolet Model G-10 Sport Van, with four male passengers and a male driver, was proceeding northbound on Ohio State Route 65. The five occupants were returning home from a funeral where they had served as pallbearers. They had just passed Five Point Road in Middleton Township, Wood County, and were traveling toward Roachton Road within the posted speed limit of 55 mph.

Ohio State Route 65 was dry, straight, and level, with clear and visible pavement markings. Ohio State Route 65 was a 2-lane asphalt highway approximately 19 feet in width. This highway roughly paralleled the main track of the CSX Detroit Division between Perrysburg and Lima, Ohio. CSX employees normally used this highway in the course of their assigned duties.

At the time of this accident, it was daylight, the sky was clear, and the temperature was 58° F. The wind speed was 37 to 43 mph.

THE ACCIDENT

At approximately 11:30 a.m., the northbound privately-owned van traveled left of center on Ohio State Route 65 and struck the CSX hi-rail vehicle head-on. The CSX Track Inspector was pronounced dead at the scene, and the CSX Track Foreman was in serious condition. All five occupants of the privately owned van were seriously injured. Three of the injured people were taken to the Medical College of Ohio Hospital in Toledo, Ohio by helicopter, one to the Medical College of Ohio by ambulance, and the other two to St. Lukes Hospital in Maumee, Ohio.

POST-ACCIDENT INVESTIGATION

No alcohol or drug use was detected at the scene of the accident, and both drivers were found to be in apparently normal condition. There were no mechanical defects detected on either vehicle that could have contributed to or caused the accident.

The evidence at the scene of the accident indicated that the privately owned van traveled left of center to strike the CSX hi-rail vehicle. This evidence was in the form of gouge marks in the roadway to indicate that the point of impact occurred in the CSX hi-rail vehicle's lane of travel.

The Wood County Sheriff's Department had not been able to determine why the privately owned van had traveled left of center to strike the CSX hi-rail vehicle. Wood County laws required that when traffic accidents resulted in fatalities, the matters were to be presented to the Grand Jury for disposition. The Wood County Grand Jury voted and decided to pursue a misdemeanor vehicular homicide charge. The case was then sent to the Municipal Prosecutor.

A blood sample was drawn from the CSX Track Inspector and transported to a laboratory for analysis. The result was "none detected."

On Nov. 24, 1998, one of the passengers from the privately owned van died of injuries received in the collision.

APPLICABLE RULES

All applicable CSX rules were being followed at the time of the accident.

The 1998 Ohio Traffic Code Handbook for the Operation of Motor Vehicles states in part:

4511.29 Driving to the Left of Center Line

Elements:

1. Driving
2. A vehicle or trackless trolley
3. To the left of the center on the roadway

Penalty:

A minor misdemeanor.